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Message Text

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ACTION EA-13

INFO OCT-01 SS-14 ADP-00 NSC-10 NSCE-00 PM-03 L-02 DPW-01

IO-03 PRS-01 CIAE-00 INR-10 NSAE-00 RSC-01 DODE-00

RSR-01 /060 W
---------- 024519
R 071102Z AUG 73
FM AMEMBASSY VIENTIANE
TO SECSTATE WASHD 5260
INFO AMEMBASSY BANGKOK
JNCP PARIS 5421
USAG NKP
AMEMBASSY SAIGON

S E C R E T VIENTIANE 5492

LIMDIS

E.O. 11652: GDS
TAGS: PFOR, PGOV, PINT, MOPS, LA
SUBJECT: LAO NEGOTIATIONS: A PROTOCOL IN SIGHT:
PROVISIONS ON PWS AND MISA

SUMMARY: PHENG PHONGSAVAN EXPECTS NEGOTIATIONS TO BE COMPLETED AT THE END OF THIS WEEK AND PROTOCOL TO BE SIGNED AT THE BEGINNING OF NEXT WEEK. END SUMMARY.

1. ON AUGUST 7, PHENG PHONGSAVAN TOLD ME THE FOLLOWING:

A. DESPITE CONTRADICTORY STATEMENTS BEING MADE TO THE PRESS, COMPLETION OF NEGOTIATIONS IS NEAR. THE TWO SENIOR NEGOTIATORS ARE MEETING AGAIN AUGUST 7 AND EXPECT TO REPORT TO THE PRIME MINISTER AUGUST 9. AT THAT MEETING THEY WILL PRESENT PROTOCOL TO SOUVANNA AND POINT UP THE TWO OR THREE MINOR POINTS ON WHICH THEY WERE UNABLE TO REACH AGREEMENT. PRESUMABLY SOUVANNA WILL ARBITRATE THOSE DIFFERENCES.

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B. ONE POINT DIVIDING THE TWO SIDES REMAINS THE

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NUMBER OF STAKES TO BE EMPLACED AT SITES WHERE THE TWO ARMIES ARE IN DIRECT CONTACT. PHENG AND PHOUMI HAVE NOW AGREED ON 28 SITES BUT FAR WANTS 52 STAKES. SOUVANNA INSTRUCTED PHENG TO TRY TO GET PHOUMI TO AGREE TO AN ADDITIONAL 10 STAKES TO MOLLIFY FAR BUT THEREAFTER HE WILL OVERRIDE FAR DEMANDS.

C. THE NAMES OF THE MINISTERS IN THE GOVERNMENT AND OF THE MEMBERS OF THE JOINT NATIONAL POLITICAL COUNCIL WILL NOT BE IN THE PROTOCOL PROPER BUT WILL BE LISTED IN THE APPENDIX TO THE PROTOCOL.

D. WHILE NEGOTIATING THE INDIVIDUAL PROVISIONS IN THE PROTOCOL, THE TWO NEGOTIATORS HAVE ALSO DISCUSSED THE TIMING OF THE INVESTITURE OF THE NEW COALITION GOVERNMENT. PHENG SAID THAT THE DELAY IN THE SIGNING OF THE PROTOCOL HAS PERMITTED THE LPF TO PREPARE THEMSELVES TO GET THEIR SECURITY DETACHMENTS TO VIENTIANE SHORTLY AFTER THE SIGNING OF PROTOCOL SO THAT GOVERNMENT CAN ACTUALLY BE FORMED WITHIN EIGHT TO TEN DAYS AFTER THE DOCUMENT IS SIGNED.

E. THE TWO SIDES HAVE COMPLETED DISCUSSION ON THE ARTICLE DEALING WITH POWS/MIAS. PHOUMI OBJECTED TO THE TERM POW AND NOMENCLATURE WILL BE "PERSONNEL CAPTURED AND JAILED DURING WARTIME." THE PROTOCOL CALLS FOR THE RELEASE OF PRISONERS OF ALL NATIONALITIES IN THREE PHASES, RELEASES TO BE COMPLETED SIMULTANEOUSLY WITH THE WITHDRAWAL OF FOREIGN MILITARY PERSONNEL FROM LAOS. EACH PARTY MUST INFORM THE JOINT COMMISSION TO IMPLEMENT THE AGREEMENT (JCIA) OF THE NUMBER OF PRISONERS TO BE RETURNED AND THE DATE AND PLACE OF RELEASE. THIS INFORMA-TION MUST BE PROVIDED 48 HOURS PRIOR TO THE RELEASE. WITHIN A PERIOD OF BETWEEN FIFTEEN AND THIRTY DAYS AFTER THE DATE PROTOCOL IS SIGNED, EACH PARTY MUST SUBMIT TO THE JCIA A DOCUMENT DETAILING THE NUMBER, NATIONALITY AND STATUS OF THE PRISONERS AS WELL AS LIST OF THOSE PRISONERS WHO DIED DURING THE TIME THEY WERE CAPTIVES. PROTOCL FURTHER STATES THAT AFTER THE RELEASE OF PRISONERS IS COMPLETED, EACH SIDE MUST REPORT TO THE JCIA AS SOON

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AS POSSIBLE THE INFORMATION COLLECTED CONCERNING THE MISSING PERSONS OF ALL NATIONALITIES. THE RELEASE OF THE PRISONERS AND THE COLLECTION OF INFORMATION CONCERNING THE MISSING ARE THE DUTIES AND RESPONSIBILITIES OF THE JCIA. IF NECESSARY AND IF JCIA REPRESENTATIVES OF BOTH SIDES AGREE, THE JCIA MAY REQUEST COOPERATION OF THE ICC.

F. PHENG'S EFFORTS TO INSERT REFERENCE TO CRASH SITE

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INSPECTION HAS BEEN REBUFFED AT LEAST TWICE BY PHOUMI
AND AT THIS POINT WILL NOT REPEAT NOT BE IN PROTOCOL.

G. THE TWO NEGOTIATORS REMAIN AT ODDS REGARDING
EXPLANATORY LANGUAGE ON ARTICLE 3(D) OF THE FEBRUARY
AGREEMENT. SOUVANNA HAS INSTRUCTED PHENG TO HOLD FIRM
ON THIS POINT.

H. PHENG EXPECTS THE PROTOCOL TO BE COMPLETED THIS
WEEK AND TO BE SIGNED AT THE BEGINNING OF NEXT WEEK,
IN ANY CASE BEFORE THE 15TH. (HPOUMI, WHOM I MET SOCIALLY,
ALSO THOUGHT THAT PROTOCOL NEGOTIATIONS WOUL BE COMPLETED
BY AUGUST 15).
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